

GARY S. WINUK  
Chief of Enforcement  
**FAIR POLITICAL PRACTICES COMMISSION**

428 J Street, Suite 620  
Sacramento, CA 95814  
Telephone: (916) 322-5660  
Facsimile: (916) 322-1932

Attorney for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of	) FPPC No. 09/0209
	)
	)
BEVERLY SEEDBORG AND VOTER	)
GUIDE SLATE MAIL,	) DEFAULT DECISION AND ORDER
	)
	)
	) (Gov. Code §§ 11506 and 11520)
Respondents.	)
	)

Complainant, the Fair Political Practices Commission, hereby submits this Default Decision and Order for consideration at its next regularly scheduled meeting.

Pursuant to the California Administrative Procedure Act,<sup>1</sup> Respondents Beverly Seedborg and Voter Guide Slate Mail have been served with all of the documents necessary to conduct an administrative hearing regarding the above-captioned matter, including the following:

1. An Order Finding Probable Cause;
2. An Accusation;
3. A Notice of Defense (Two Copies);

//

<sup>1</sup>The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code.

1 A Statement to Respondent; and

2 4. Copies of Sections 11506, 11507.5, 11507.6 and 11507.7 of the Government Code.

3 Government Code Section 11506 provides that failure of a respondent to file a Notice of Defense  
4 within 15 days after being served with an Accusation shall constitute a waiver of respondent's right to a  
5 hearing on the merits of the Accusation. The Statement to Respondent, served on Respondents Beverly  
6 Seedborg and Voter Guide Slate Mail, explicitly stated that a Notice of Defense must be filed in order to  
7 request a hearing. Respondents failed to file a Notice of Defense within fifteen days of being served  
8 with the Accusation.

9 Government Code Section 11520 provides that, if the respondent fails to file a Notice of  
10 Defense, the Commission may take action, by way of a default, based upon the respondent's express  
11 admissions or upon other evidence, and that affidavits may be used as evidence without any notice to the  
12 respondent.

13 Respondents Beverly Seedborg and Voter Guide Slate Mail violated the Political Reform Act as  
14 described in Exhibit 1, and accompanying declarations, which are attached hereto and incorporated by  
15 reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the law and  
16 evidence in this matter. This Default Decision and Order is submitted to the Commission to obtain a  
17 final disposition of this matter.

18  
19 Dated: \_\_\_\_\_

\_\_\_\_\_  
Gary S. Winuk, Chief of Enforcement  
Fair Political Practices Commission

20  
21  
22 **ORDER**

23 The Commission issues this Default Decision and Order and imposes an administrative penalty  
24 of Two Thousand Dollars (\$2,000) upon Respondents Beverly Seedborg and Voter Guide Slate Mail,  
25 payable to the "General Fund of the State of California."

26 //

1 IT IS SO ORDERED, effective upon execution below by the Chairman of the Fair Political  
2 Practices Commission at Sacramento, California.

3  
4  
5 Dated: \_\_\_\_\_

\_\_\_\_\_  
Ann Ravel, Chair  
Fair Political Practices Commission